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Message Text

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17
ACTION L-03

INFO OCT-01 NEA-10 ISO-00 JUSE-00 EB-07 COME-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 IO-13 TRSE-00 /077 W
---------- 046653
R 281310Z APR 76
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC 5234

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E.O. 11652: N/A
TAGS: PGOV, PFOR KU
SUBJECT: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD:
FOREIGN LAWS ON QUESTIONABLE PAYMENTS -- KUWAIT

REF: (A) STATE 94647, (B) 75 KUWAIT A-103,
(C) 75 KUWAIT 4673, (D) 75 STATE 258169.

1. EMBASSY KUWAIT HAS ALREADY RESPONDED TO QUESTION PARA 6,
REF. D (REFS B AND C).

2. ANSWERS TO QUESTIONS PARA 2, REF. A ARE AS FOLLOWS:
(A) A, B AND C -- YESS. SEE REF. B FOR TEXTS OF RELEVANT LAWS.
(B) D, E -- NO; THERE ARE NO LAWS RESTRICTING CAMPAIGN EXPENDITURES
OR CAMPAIGN CONTRIBUTIONS NOR ARE THERE LAWS REQUIRING DIS-
CLOSURE OF EITHER. THERE IS, HOWEVER, A LAW (THE ELECTION LAW,
LAW 35 OF 1962, ARTICLE 44) WHICH MAKES IT A CRIME PUNISHABLE BY
A FINE OF UP TO KD 100 (KD 1 - $3.50) OR A YEAR IN PRISON OR BOTH
FOR THE USE OF FORCE, THREATS, GIFTS OR THE OFFER OF BENEFITS TO
ATTEMPT TO MAKE A VOTER VOTE OR NOT VOTE FOR A PARTICULAR
CANDIDATE. ELECTIONS FOR NATIONAL ASSEMBLY ARE HELD EVERY FOUR
YEARS ON INDIVIDUAL BASIS, THERE ARE NO FORMAL POLITICAL PARTIES
IN KUWAIT.
(C) F -- NO. AS FAR AS WE KNOW THERE ARE NO LAWS REGARDING
ACTIONS MENTIONED PARA 2F IN CONNECTION WITH COMMERCIAL
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TRANSACTIONS REGARDING GOVERNMENT OFFICIALS OR AGENCIES. IT

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IS POSSIBLE THAT AN INDIVIDUAL INVOLVED IN SUCH ACTIVITIES COULD BE FIRED OR SUBJECT TO CIVIL SUIT FOR VIOLATING EMPLOYMENT CONTRACT. HOWEVER THERE APPEARS TO BE NO CRIMINAL SANCTIONS.

3. COMMENT: AS INDICATED REF C PARA 4, BRIBERY OF OFFICIALS IS A CRIME IN KUWAIT AND ALTHOUGH IT CERTAINLY MUST EXIST THE GOK IN GENERAL DOES TRY TO ENFORCE THE LAWS IN THIS AREA. AN IMPORTANT DIFFERENCE BETWEEN KUWAITI AND AMERICAN VIEWS EXISTS WITH RESPECT TO CONFLICTS OF INTEREST. TRADITIONALLY THERE HAS BEEN LITTLE CONCERN HERE OVER WHAT IN US WOULD BE UNACCEPTABLE CONFLICT OF INTEREST. LARGELY BECAUSE OF LIMITED NUMBER OF QUALIFIED INDIVIDUALS AVAILABLE TO STAFF SENSITIVE POSITIONS, IT HAS BEEN NECESSARY TO ALLOW GOVERNMENT OFFICIALS TO CONTINUE THEIR PRIVATE BUSINESS OR PROFESSIONAL ACTIVITIES. THUS FOR EXAMPLE A MEMBER OF THE BOARD OF A LOCAL GOVERNMENT-OWNED OIL COMPANY MAY IN HIS PRIVATE CAPACITY AS A LAWYER REPRESENT FOREIGN OIL COMPANIES. AS KUWAITI GRADUATES HAVE BEGUN TO RETURN TO THEIR COUNTRY AND ARE AVAILABLE TO STAFF SENIOR AND MIDDLE LEVEL POLICY POSITIONS THERE APPEARS TO BE A SHIFT OF ATTITUDES ON CONFLICT OF INTEREST QUESTION AND KUWAIT APPEARS TO BE MOVING TOWARD AMERICAN STANDARDS ALTHOUGH IT STILL HAS A GREAT DISTANCE TO GO.
MAU

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
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Draft Date: 28 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
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From: KUWAIT
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ISecure: 1
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TAGS: PGOV, PFOR, KU
To: STATE
Type: TE
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